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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
Hai H. Trieu et al. ) Before the Examiner  
Serial No. 10/634,245 ) Robert, Eduardo C.  
Filed August 5, 2003 )  
NON-METALLIC IMPLANT DEVICES ) Group Art Unit  
AND INTRA-OPERATIVE METHODS ) 3732  
FOR ASSEMBLY )

RESPONSE TO RESTRICTION REQUIREMENT  
SUBMITTED UNDER 35 USC §121

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication dated February 8, 2005, please consider the following.

Additionally, please provide any extensions of time that may be necessary, and charge any fees that may be due to Deposit Account No. 23-3030, but do not include payment of issue fees that are or may become due.

I hereby certify that this correspondence is being deposited with the United States Postal Service as <u>first class mail</u> in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.
<u>March 8, 2005</u>
(Date of Deposit)
James B. Myers
Name of Registered Representative
<u>James B. Myers</u>
Signature
<u>March 8, 2005</u>
Date of Signature

## REMARKS

In a communication dated February 8, 2005, a restriction to one of the following patentably distinct species was required under 35 USC §121:

- |                  |                              |               |
|------------------|------------------------------|---------------|
| I. Fig. 1        | VI. Fig. 8                   | XI. Fig. 14A  |
| II. Figs. 2-4    | VII. Figs. 9A, 9B            | XII. Fig. 14B |
| III. Fig. 5      | VIII. Figs. 10A, 10B, and 11 | XIII. Fig. 15 |
| IV. Figs. 6A, 6B | IX. Fig. 12                  | XIV. Fig. 16  |
| V. Fig. 7        | X. Fig. 13                   | XV. Fig. 17   |

In response, Applicants elect to prosecute the patentably distinct species illustrated in Fig. 8. Claims 7, 9, 10, 13, 14, 24-29, and 34-50 read at least on the species illustrated in Fig. 8.

Applicants respectfully request timely examination of this application leading to allowance of all elected claims. The Examiner is invited to contact the undersigned attorney by telephone if there are any questions about this Response or other issues that may be resolved in that fashion.

Respectfully submitted,

By: James B. Myers  
James B. Myers, Reg. No. 42,021  
Woodard, Emhardt, Moriarty, McNett & Henry LLP  
3700 Bank One Center Tower  
111 Monument Circle  
Indianapolis, IN 46204-5137  
(317) 713-4948